

72

Z 048 711 406



## Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sanford J. NUDELMAN  
S.J. NUDELMAN AND SON  
2707 N.W. NELA STREET  
PORTLAND, OR 97210

Postage

\$

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing  
to Whom & Date Delivered

Return Receipt Showing to Whom,  
Date, and Addressee's Address

TOTAL Postage  
& Fees

\$

Postmark or Date

January 10, 1995

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,  
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1. of Form 3811.
6. Save this receipt and present it if you make inquiry.

105603-93-B-0218

# SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

## 3. Article Addressed to:

SANFORD J. NUDELMAN  
S.J. NUDELMAN AND SON  
2707 N.W. NELA STREET  
PORTLAND, OR 97210

## 4a. Article Number

Z 048 711 406

## 4b. Service Type

- |   |   |
|---|---|
| <input type="checkbox"/> Registered           | <input type="checkbox"/> Insured                        |
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> COD                            |
| <input type="checkbox"/> Express Mail         | <input type="checkbox"/> Return Receipt for Merchandise |

## 7. Date of Delivery

1-12-95

## 5. Signature (Addressee)



## 6. Signature (Agent)



## 8. Addressee's Address (Only if requested and fee is paid)

UNITED STATES POSTAL SERVICE



PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300

Official Business

RECEIVED

JAN 17 1995

PESTICIDES & TOXIC SUBSTANCES  
BRANCH-EPA REGION 10

BH

U.S. EPA - REGION 10  
PESTICIDES & TOXIC SUB. BR.  
1200 - 6TH AVE. (AT-083)  
SEATTLE, WA 98101





*Firm*



JAN 10 1995

Reply To The  
Attention of M/S AT-083

**CERTIFIED MAIL**

Sanford J. Nudelman  
S.J. Nudelman and Son  
2707 N.W. Nela Street  
Portland, OR 97210

Dear Mr. Nudelman:

This concerns the June 13, 1994, inspection of facilities of S.J. Nudelman and Son located at 2707 N.W. Nela Street, Portland, Oregon, which was performed by Dan Heister of the United States Environmental Protection Agency (EPA) pursuant to Section 11 of the Toxic Substances Control Act (TSCA). This inspection was conducted to determine whether activities at the facility were in compliance with EPA Regulations governing polychlorinated biphenyls (PCBs), 40 C.F.R. Part 761.

During the inspection, five samples were obtained. The samples were analyzed by the EPA Region 10 analytical laboratory in Manchester, Washington, for seven characteristic and distinct mixtures of PCBs called Aroclors. Those Aroclors are: 1016, 1221, 1232, 1242, 1248, 1254, and 1260. The results of those analyses are as follow:

SAMPLE NUMBER	SAMPLE DESCRIPTION	ANALYTICAL RESULT
94244565	WIPE SAMPLE FROM WELL PUMP	18.9 $\mu\text{g/g}$ (micrograms per gram or parts per million (ppm)) Aroclor 1260
94244566	SOIL SAMPLE FROM INSIDE TRANSFORMER CARCASS	2400 $\mu\text{g/kg}$ (micrograms per kilograms or parts per billion, or 2.4 ppm Aroclor 1260
94244567	FOAM INSULATION FROM INSIDE TRANSFORMER CARCASS	18000 $\mu\text{g/kg}$ or 18 ppm Aroclor 1260
94244568	POTTING COMPOUND FROM RUPTURED FLUORESCENT LIGHT BALLAST	350 $\mu\text{g/kg}$ or 0.35 ppm Aroclor 1242 and 120 $\mu\text{g/kg}$ or 0.12 ppm Aroclor 1260 - TOTAL PCB: 0.47 ppm
94244569	POTTING COMPOUND FROM RUPTURED FLUORESCENT LIGHT BALLAST	96000 $\mu\text{g/kg}$ or 96 ppm Aroclor 1242

A copy of the analytical report is enclosed.

A preliminary review of the inspection has now been completed. On the basis of this

review, it appears that a violation of EPA regulations occurred at the facility, as follows:

### **REGULATION - DISPOSAL**

40 C.F.R. § 761.60(d) provides that spills and other uncontrolled discharges of PCBs at concentrations of 50 ppm or greater constitute the disposal of PCBs. PCBs resulting from the cleanup and removal of spills, leaks, or other uncontrolled discharges, must be stored and disposed of in accordance with 40 C.F.R. § 761.60(a). Disposal of PCBs in any other manner constitutes the improper disposal of PCBs.

### **VIOLATION**

EPA analysis of a wipe sample, Number 94244569, taken from potting compound from a ruptured fluorescent light ballast, detected 96 parts per million (ppm) PCB. The release of PCBs documented by this analysis constituted the improper disposal of PCBs.

We understand that Mr. Heister discussed general concerns regarding PCBs in light ballasts during the inspection. The Agency believes that the violation documented a potential threat to human health and the environment. For this reason, you should immediately take the following steps, if you have not already done so:

1. Segregate light ballasts marked by the manufacturer as containing "NO PCBS" from those not so marked. Those not so marked should be assumed to contain small PCB capacitors and should be disposed of at the very least in a chemical waste landfill approved by EPA pursuant to TSCA. The general requirements for disposal of PCB light ballasts are described in the enclosed "Summary of General PCB Regulations." I am also enclosing a copy of the federal PCB Regulations for your information and assistance.
2. Clean up any releases from PCB light ballasts (or other sources) and store and dispose of cleanup material in accordance with 40 C.F.R. § 761.65(b) and 40 C.F.R. § 761.60. Such releases are subject to the requirements of the PCB Spill Cleanup Policy, located at 40 C.F.R. Part 761, Subpart G.
3. If you store regulated PCB waste, as defined at 40 C.F.R. § 761.3., for longer than 30 days, you should notify EPA of such activity pursuant to 40 C.F.R. § 761.205.
4. Have any untested, liquid-filled transformers tested to determine PCB concentration. 40 C.F.R. 761.3, requires you to assume any untested oil-filled



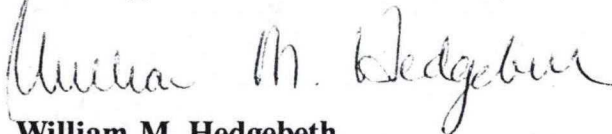
transformers to be PCB-contaminated, i.e., containing less than 500 ppm PCB but greater than or equal to 50 ppm PCB.

5. Segregate any submersible pumps from other scrap material at your site. Such pumps which were manufactured prior to 1979 are likely to contain small PCB capacitors and should be disposed of in the same manner as PCB light ballasts.

You should be advised that TSCA authorizes penalties of up to \$25,000 per day for each violation. Criminal penalties are authorized for knowing and wilful violations of the law. Correcting the conditions noted in this letter may prevent future violations. However, it will not provide protection from Agency enforcement action for those violations that have already occurred. Nothing in this letter should be construed to waive or limit any remedy available to EPA by virtue of conditions at your facility or the acts or omissions of your company. We are referring this case to EPA's Region 10 Office of Regional Counsel for possible enforcement action. In this regard, you will be receiving further correspondence from EPA.

Please understand that the aforementioned steps are being recommended to avoid risk to health and the environment. Your company bears the ultimate responsibility for taking all steps necessary to comply with the law. If you have any questions regarding this letter, please me at EPA Region 10, 1200 Sixth Avenue, AT-083, Seattle, Washington 98101, telephone (206) 553-7369.

Sincerely,



William M. Hedgebeth  
PCB Team Leader  
Toxic Substances Section

Enclosures

cc: Rebecca Woods, EPA HQ, 7203